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September 6, 2023

Honorable Magistrate Judge Vera M. Scanlon
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

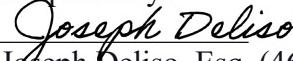
Re: Oswald Hepburn v. City of New York et.al.
Docket No.: 1:21-cv-04158--OEM-VMS

Dear Judge Scanlon:

The Court's Order dated January 16, 2023, directed that all discovery, including expert discovery, was to be completed on or before August 21, 2023, and that the parties were to file a joint letter on or before that date, confirming that all discovery was concluded. It is the Plaintiff's position that the discovery phase of this case has concluded. However, Defendants maintain that there is still discovery to be completed, including issues of expert witnesses, despite the passing of all deadlines. Accordingly, Defendants refuse to file a joint letter confirming that discovery is complete.

In light of this disparity between the parties, please advise as to whether the Defendants are allowed further extensions of time for discovery. In making this determination, please keep in mind that to date, the municipal defendants never identified any experts, rebuttal experts or provided initial expert reports, which were due on or before June 19, 2023.

Respectfully,


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